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DEPOSITION OF CARL RAGASA VOL I TAKEN 10/12/04

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CONDENSED TRANSCRIPT AND CONCORDANCE  
PREPARED BY:

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BSA

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- (1) place and he agreed to me and Mark that -- Mark  
 (2) talked to him too, a long time, and tell him, you  
 (3) know, these problems we're having with him, no bring  
 (4) him back. And Sid agreed he's not going to bring  
 (5) him back.  
 (6) Q. So your recollection is that Sid agreed  
 (7) with you and Mark that he --  
 (8) A. Yeah.  
 (9) Q. It is Mike or Mark? I'm sorry.  
 (10) A. Mark.  
 (11) Q. Mark McKamey; right?  
 (12) A. Yeah.  
 (13) Q. -- that Ethan should not come back in that  
 (14) area for training?  
 (15) A. Yeah, yeah. Just move him to -- just  
 (16) move the training somewhere else. Don't have it  
 (17) there. But they was already told not to go there by  
 (18) the supervisor, that they was warned not to go  
 (19) there.  
 (20) Q. Okay. So Sid was already warned not to go  
 (21) there. Who warned him?  
 (22) A. Okay. Well, Kaden, because the  
 (23) supervisors, Norman Hunter and Roy -- Norman and Roy  
 (24) told them before the incident even happened, said,  
 (25) Don't go tower one, doesn't have your training

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- (1) there, 'cause Carl and Ethan and Mark and maybe the  
 (2) rest of the guys have a problem with Ethan at that  
 (3) particular tower.  
 (4) Q. So your understanding is Norman Hunter and  
 (5) Roy Yamagata informed Bob Kaden of this?  
 (6) A. Yeah, not to go. And Bob said afterward,  
 (7) He don't tell us where to train.  
 (8) Q. Okay. Do you have any understanding  
 (9) whether or not Norman Hunter and Roy Yamagata spoke  
 (10) to Sid about this directly?  
 (11) A. I have no recollection.  
 (12) Q. What happened after you and Mark talked to  
 (13) Sid about not having Ethan come to the training?  
 (14) A. Nothing, that I know. It was all that was  
 (15) the conversation about. For the safety, you know,  
 (16) just keep him away.  
 (17) Q. For whose safety?  
 (18) A. Anybody's. The thing was just -- you  
 (19) know, Ethan just makes trouble wherever he goes.  
 (20) You know, just so it no happen again, period. All I  
 (21) told him was to get the F out and that's it. You  
 (22) know, it was -- I don't know -- there was nothing,  
 (23) nothing wrong with that. Then they came back again.  
 (24) Q. Were you angry when you made -- when you  
 (25) said those words to Ethan?

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- (1) A. No. That was kind of like --  
 (2) Q. Did you raise your voice?  
 (3) A. Oh, yeah.  
 (4) Q. Okay. So that was the end of your  
 (5) interaction with Kini on that day; is that correct?  
 (6) A. Yes.  
 (7) Q. When did it occur -- referring you back to  
 (8) 42, where it says Kini ordered you to submit to open  
 (9) ocean lifesaving training under his supervision and  
 (10) tutelage.  
 (11) A. I don't recall exactly when he told me  
 (12) that, but I know he said I -- we gotta to do this  
 (13) training or we're not going to pass the USLA. He  
 (14) also told Randy that, and Randy was the only one  
 (15) certified to teach us.  
 (16) Q. Was Kini's discussion with you about you  
 (17) guys submitting to training --  
 (18) A. Oh, he told me -- okay. He told me that  
 (19) the second time he came. Now I remember. He told  
 (20) me the second time he came down, the second day. I  
 (21) mean, the second day he came, on the 22nd, was it --  
 (22) no, no, not the 22nd. It was Wednesday. Friday he  
 (23) told me, You gotta do this class.  
 (24) Q. At that time or you --  
 (25) A. Was before the class -- before the class

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- (1) even started, he came there. He came there before  
 (2) the class came.  
 (3) Q. Before the rest of the class came --  
 (4) A. Yeah, yeah, yeah. That was the second  
 (5) day.  
 (6) MR. ZENGER: Let her finish, Carl.  
 (7) THE WITNESS: Oh. Okay.  
 (8) MR. ZENGER: Let her finish her question.  
 (9) BY MS. CHANG:  
 (10) Q. So the second day that he came down to  
 (11) tower one, before the others were present, he told  
 (12) you that you had to participate that day in the  
 (13) training?  
 (14) A. No, not day, that day they train 'em, but  
 (15) we all had to, including me had to go.  
 (16) Q. Okay. So in other words, he's telling you  
 (17) you've got to submit to this training?  
 (18) A. Yeah, yeah, yeah.  
 (19) Q. He's not saying right now?  
 (20) A. Yeah, yeah, because I wasn't scheduled for  
 (21) that day.  
 (22) Q. All right. You were scheduled for maybe  
 (23) sometime a week later or something?  
 (24) A. I don't even recall looking at the thing,  
 (25) because maybe my name wasn't even on there. I don't

C E R T I F I C A T E

STATE OF HAWAII )  
 ) SS.  
CITY AND COUNTY OF HONOLULU )

I, SUE M. FLINT, Notary Public, State of  
Hawaii, do hereby certify:

That on October 12, 2004, at 9:00 a.m.,  
appeared before me Carl Ragasa, the witness whose  
deposition is contained herein; that prior to being  
examined he was by me duly sworn;

That the deposition was taken down by me  
in machine shorthand and was thereafter reduced to  
typewriting under my supervision; that the foregoing  
represents to the best of my ability, a true and  
correct transcript of the proceedings had in the  
foregoing matter.

I further certify that I am not an  
attorney for any of the parties hereto, nor in any  
way concerned with the cause.

DATED this 10th day of November,  
2004, in Honolulu, Hawaii.

Sue M. Flint  
SUE M. FLINT, RPR, CSR 274  
Notary Public, State of Hawaii  
My Commission Exp: July 23, 2007